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08/427,070 04/24/95 DICKINSON

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EXAMINER

33M1/0122

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 14

Application Number: 08/427,070

Filing Date: 4/24/95

Appellant(s): Dickinson et al.

Thomas Kocovsky, Jr.

For Appellant

EXAMINER'S ANSWER

This is in response to appellant's brief on appeal filed 08 December 1997.

A statement identifying the real party in interest is contained in the brief.

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

The statement of the status of the claims contained in the brief is correct.

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

The summary of invention contained in the brief is correct.

The appellant's statement of the issues in the brief is correct.

The rejection of claims 14-17 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

The copy of the appealed claims contained in the Appendix to the brief is correct.

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

| | | |
|-----------|-----------|---------|
| 4,875,485 | Matsutani | 10-1989 |
|-----------|-----------|---------|

| | | |
|-----------|--------|---------|
| 4,230,129 | LeVeen | 10-1980 |
|-----------|--------|---------|

No new prior art has been applied in this examiner's answer.

(11) *Grounds of Rejection*

The following ground(s) of rejection are applicable.

Claims 14-17 are rejected under 35 U.S.C. 103(a). This rejection is set forth in prior Office action, Paper No. 7.

(12) *New Ground of Rejection*

This examiner's answer does not contain any new ground of rejection.

(13) *Response to argument*

Matsutani teaches everything including an MR system in which a patient bed with an opening under the support of the patient bed allowing the bed to be positioned over the lower pole of the MR system. Matsutani also teaches moving the bed in two dimensions to allow for proper placement of the patient with respect to the system. Note figures 1 and 9, col. 4, lines 18-38 and col. 8 lines 62-68 and col. 9 lines 1-4

Matsutani does not specifically show the bed having two supporting structures.

LeVeen teaches a imaging and therapy system in which a table having two supporting structures and an opening defined under the table allow the table to be positioned over the scanner.

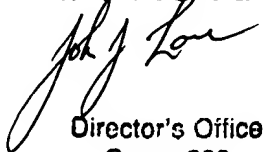
It is well known in the art to have a bed or supporting platform with two supporting structures located at opposite ends of the bed to distribute the weight of the patient and provide sufficient support for the patient.

Therefor, it would have been obvious at the time the invention was made to one of ordinary skill in the art to include in the device of Matsutani a bed with two supporting portions to distribute the weight of the patient and provide sufficient support for the patient as is known and taught by LeVeen.

In view of the above discussion of the teachings of each reference, it is the examiner's opinion that Appellants claims are rendered obvious over Matsutani in view of LeVeen and therefore, the issue of patentability should be resolved before interference proceedings should take place between Appellants claims and the Li et al.(5,305,749) patent.

For the above reasons, it is believed that the rejections should be sustained.

APPROVED


Director's Office
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Respectfully submitted,


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